

**Planning Committee:** 03 May 2005

**Principal Item Number:** 17

**Application No:** W 05 / 0420

**Registration Date:** 16/03/2005

**Town/Parish Council:** Warwick

**Expiry Date:** 11/05/2005

**Case Officer:** Steven Wallsgrove

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**Warwick Printing Co Ltd, Theatre Street, Warwick, CV34 4DR**  
Erection of 16 no. apartments and associated parking. FOR Cala Homes  
Midlands Limited

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## **SUMMARY OF REPRESENTATIONS**

### Warwick Society

"This new planning application with revised elevations undoes all of the improvements made after earlier submissions and discussions. We are opposed to increasing the number of flats to 16 which has resulted in emphasising that the building is out of scale and out of sympathy with its surroundings. The building which has been given planning approval should not be altered except for the street level detailing which has yet to be agreed.

We would ask the Warwick District Planning Committee to refuse planning permission for this revised application."

### Warwick Town Council

The Town Council consider that the application should be refused:-

- (i) The housing requirements allocated within the County Structure Plan have been exceeded and anticipated policies are intended to limit further housing provisions in line with the policies of the West Midlands Planning Guidance. A high proportion of the excessive 14% are in respect of flats and the Town Council considers that further flat developments are not appropriate to the needs of the Town Centre.
- (ii) The land is presently in use for employment purposes and the Town Council considers that unless the District Council is entirely satisfied that the current and future County Structure Plan provides fully for employment land, then this important site should be retained for that purpose.
- (iii) The detailed provisions of the Town Centre Traffic proposals are not yet available but the intentions are for footpaths to be widened in order to improve pedestrian facilities and the development should, if permitted be set back to enable future footpath widening.
- (iv) The Town Council does not consider that the development enhances or harmonises with development in this Conservation Area and that the District Council, as LPA should seek to ensure that any development which does take place meets Policy DP2."

Warwickshire County Council (Planning) have no objection subject to a Section 106 Agreement to provide education and library funding.

Environmental Health have no objection subject to noise insulation and contamination remediation conditions, and a financial contribution towards pollution monitoring.

Warwickshire County Council (Highways) holding objection until workable parking layout submitted.

County Museum (Archaeology) request a 'watching brief' condition.

Lammas + District Residents Association object as not being 'of the highest quality', contrary to policies DAP10, SC1, and SC11, unsafe access, carpark too cramped, contrary to DP14, will generate more on-street parking, and no affordable housing.

### **RELEVANT POLICIES**

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)

(DW) ENV6 - Protection and Enhancement of Conservation Areas (Warwick District Local Plan 1995)

(DW) ENV3A - Sustainable Development and Energy Conservation (Warwick District Local Plan 1995)

### **PLANNING HISTORY**

The only relevant history is the planning application for 14 units which was granted at the meeting on 8th March 2005 subject to prior completion of a Section 106 Agreement, the approval for the demolition of the existing building, and an earlier refusal for 24 apartments in a much taller building.

### **KEY ISSUES**

#### **The Site and its Location**

The application site lies opposite the top of Linen Street, between the taller "Woolworths" building to the north and a former filling station to the south. The maisonettes over the shops in Market Street, which is at a significantly higher level to this part of Theatre Street, lie to the east beyond an open service yard and car park. The site also lies in the Conservation Area.

#### **Details of the Development**

The present proposal is very similar in design and bulk to the recently approved application, the principal changes being to replace some of the larger units with smaller ones (for marketing reasons) and to move the main entrance. The parking layout, however, did not work for 16 units and has had to be revised. The scheme has also been amended to improve the design by the introduction of some balconies.

## Assessment

The principal issues in this case are the impact on the Conservation Area, the impact on neighbours, and traffic safety. Parking is not considered to be a significant issue since 14 parking spaces are to be provided and the site lies in the town centre where central government guidance permits development to be carried out without any parking since there is good access to public transport. Similarly, affordable housing is considered not to be an issue since the number of units is below the threshold in both the Local Plan 1995 and the First Deposit version of its replacement.

In terms of traffic safety, the access to the site has been the subject of detailed study, including an on-site traffic speed assessment. The design of the layout has enabled the maximum visibility to be provided by being set back from the road, unlike the present building which severely restricts visibility to the south and has a narrow footway. In view of this research the Highway Authority are satisfied that the traffic generated by this proposal will not cause any serious traffic problem.

The residential properties affected by the redevelopment of this site are the maisonettes in Market Street, the flats on the corner of Linen Street, a bungalow on the opposite corner of Linen Street, and the first adjoining house in Theatre Street. The other houses in Theatre Street face onto the back of the Woolworth building. This one house will be little affected since it faces the junction of the Woolworth building and Warwick Printing, which is already quite tall, while the bungalow faces onto Linen Street rather than Theatre Street. The flats lie opposite the south end of the Warwick Printing building and mostly have their outlook over the open frontage of the garage. It is considered, therefore, that these properties will not be unreasonably affected by the increase in height of the building, which is only about 2 m at the northern end; where it will then match the existing Woolworth building.

Only a few of the maisonettes over the shops in Market Street will be affected, and these have balcony access along the west side with their principal rooms facing onto Market Street. The increase in height of the southern part of the proposed development, therefore, should have no significant affect on their amenities, although there will be some loss of view towards the racecourse from the balcony access side. Views, however, cannot be protected.

The remaining principal issue is the affect of the proposal on the character of the Conservation Area, for which there is central government guidance (PPG15: Planning and the Historic Environment) in addition to the policies of the Local Plan.

In the present case, the existing industrial building is bland, quite tall, on the back of the narrow footway, and is considered to be of no architectural merit. The proposed replacement building is considered to be a major improvement and, with its articulation and use of more appropriate materials, will be a significant improvement to this part of the Conservation Area. The developers have also taken the opportunity to create an interesting feature at the top of Linen Street which will be seen in long distant views, namely the 'winter garden'. It is

considered that this will further enhance the streetscene and the long distance views of the historic town centre on its hill.

### **REASON FOR RECOMMENDATION**

The proposal is considered to comply with the policies listed above.

### **RECOMMENDATION**

(A) After completion of an Agreement for (or payment of) contributions requested by County Planning and Environmental Health

(B) GRANT subject to the following conditions:

- 1 The development hereby permitted must be begun not later than the expiration of five years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990.
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s) C81:370/212A, /211B, /210A, /112B, /111B, + /110B, and specification contained therein, submitted on 18 April 2005 unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3.
- 3 Samples of all external facing materials to be used for the construction of the development hereby permitted, shall be submitted to and approved by the District Planning Authority before any constructional works are commenced. Development shall be carried out in accordance with the approved details. **REASON** : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan.
- 4 No development shall be carried out on the site which is the subject of this permission, until large scale details of doors, windows (including a section showing the window reveal, heads and cill details), eaves, verges, grilles, gates and rainwater goods at a scale of 1:5 have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy ENV8 of the Warwick District Local Plan.
- 5 The development hereby permitted shall not commence unless and until two weeks notice in writing of the start of works shall have been given to the Warwickshire Museum as the nominated representative of the District Planning Authority. During the construction period the developer shall afford access at all reasonable times to representatives of the Museum and shall allow them to observe the excavations and record items of interest and finds. **REASON** : To ensure any items of archaeological interest are

adequately investigated, recorded and if necessary, protected, in order to satisfy the requirements of Policy ENV22 of the Warwick District Local Plan.

- 6 No development shall be carried out on the site which is the subject of this permission, until satisfactory details of a noise insulation scheme to minimise transmission of airborne noise have been submitted to and approved by the District Planning Authority and the development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : In the interests of the amenities of future occupiers of the building.
  - 7 The vehicular access to the site shall not be used until visibility splays have been provided to the public highway carriageway with an 'x' distance of 2.4 metres and 'y' distances of 70 metres to the north and 55 metres to the south. No structure, erection, trees or shrubs shall be placed, allowed to grow or be maintained within the visibility splays so defined. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan.
  - 8 The car parking areas shown on the approved plans shall be constructed prior to occupation of the development and thereafter be permanently retained for parking purposes for the development hereby permitted. **REASON** : To ensure that adequate parking facilities are retained for use in connection with the development, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan.
  - 9 Development shall not be commenced until there has been submitted to the District Planning Authority a survey report on the extent to which any part or the whole of the application site is contaminated by toxic or other noxious materials and on the remedial measures required to deal with the hazards. No development shall be commenced until all toxic or obnoxious materials have been removed or otherwise treated in accordance with details which have been approved in writing by the District Planning Authority. **REASON** : To protect the health and safety of future occupiers.
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